

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 2-20 were pending in this application. In this Amendment, Applicants have amended claims 2, 12, and 18, and have not added or canceled any claims. Accordingly, claims 2-20 will remain pending herein upon entry of this Amendment. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed December 4, 2009, claims 2 and 7-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 03/082480 to Matsunaga et al. ("Matsunaga") in view of U.S. Patent No. 4,340,011 to Wahren et al. ("Wahren"); and claims 3-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsunaga and Wahren in view of EP 0930641 A2 to Kiguchi et al. ("Kiguchi"). To the extent these rejections might still be applied to the claims currently pending in this application, they are respectfully traversed.

Applicant submitted a Request for Reconsideration on March 4, 2010, rebutting the rejections set forth in the Office Action. The Examiner then issued an Advisory Action on March 23, 2010, indicating that the Request did not place the application in condition for allowance, but noting that the cited references do not disclose passageways that directly supply the second material to the substrate. Applicant disagrees with the Examiner's maintenance of the rejections and incorporates herein all of the remarks made in the previous response for full consideration. In particular, Applicant submitted in the previous response that the Examiner's prima facie showing of obviousness was flawed because of a lack of reason or motivation to

combine the references, the references were non-analogous, and the references did not disclose all of the features of the claims. Full consideration and examination are respectfully requested of the previous Response as well as the present Amendment.

Notwithstanding Applicant's disagreement with the outstanding rejections, and in the interest of advancing the application to allowance, Applicant has amended the independent claims to recite an apparatus including a dispensing tube that includes a wall that defines a plurality or number of lateral outlet openings from which the second material is dispensed directly onto the layer of the nanocrystalline first material. As acknowledged by the Examiner on page 2 of the Advisory Action, this feature is not disclosed by the cited references. Accordingly, prompt allowance of all pending claims is earnestly solicited.

Applicants therefore respectfully submit that amended claims 2, 12, and 18 are patentable over the cited prior art. In addition, Applicants respectfully submit that dependent claims 3-11, 13-17, 19, and 20 are also patentable due at least to their dependence on an allowable base claim and for the additional features recited therein.

With reference to claims 9, 15, and 18, Applicants further respectfully submit that Matsunaga fails to teach or suggest lateral outlet openings provided in a top side of the horizontally disposed dispensing tube. As discussed above, the element labeled "DRAIN" in Matsunaga cannot be properly interpreted to be a lateral outlet opening. The opening in valve seat 4 is therefore the only outlet opening disclosed in Matsunaga. Since that opening is clearly directed downward as shown in Figure 1, Matsunaga fails to teach or suggest the recited lateral outlet openings provided in a *top* side of the dispensing tube. For that additional reason, Applicants respectfully submit that claims 9, 15, and 18 are patentable over the prior art.

Serial No.: 10/514,424
Art Unit: 1792

Attorney's Docket No.: OCT0013-US
Page 9


In view of the foregoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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